

REMARKS

Applicants respectfully request reconsideration of this application in view of the foregoing amendment and following remarks.

Status of the Claims

Claims 16-19 are pending in this application. All of the pending claims stand rejected. By this amendment, claims 16, 17 and 19 are amended. No new matter has been added by this amendment.

Rejection under 35 U.S.C. §103

In paragraph four (4) of the Office Action, claims 16-19 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,963,363 to Ohmura (“Ohmura”) in view of U.S. Pub. No. 2003/0117513 to Anderson (“Anderson”).

Claim 16 has been amended for further clarification. Amended claim 16 is directed to an imaging apparatus (e.g., a digital camera) that can generate and display captured image data along with authentication data necessary for a process of authenticating whether image data is altered. See, e.g., paragraph [0025] of the corresponding published application (i.e., U.S. Pub. No. 2004/0056967 A1).

The imaging apparatus of claim 16 as amended includes, *inter alia*, “a mode setting unit” that sets an authentication data addition mode. In particular, the control unit in the claimed apparatus “determines” whether the authentication data addition mode is set by the mode setting unit in response to an image capture instruction issued by the instruction setting unit, then, “controls” the display unit in accordance with the determination result. For example, if the authentication data addition mode is set, the control unit displays an image related to the image data acquired by the image capture unit in accordance with the image capture instruction and an

additional information indicating that the authentication data is recorded with the image data in response to the image capture instruction.

As a result, when a user instructs to capture an image after the user sets the authentication data addition mode, the user easily understands that the currently captured image is stored in the removable recording medium together with the corresponding authentication data. Furthermore, the processing capability of the imaging apparatus can be utilized more effectively because the authentication data is generated only when the specific mode (i.e., authentication data addition mode) is determined. Support for the amendment may be found, e.g., Fig. 10 and paragraphs [0095], [0096] and [0115] of the corresponding published application.

The Office Action indicates that “it would have been obvious... to have displayed a presence of water mark indicator when displaying images as in Ohmura so that a user would be able to visually verify the image is protected against copyright infringement when viewing said image.”¹ The Office Action then cites Anderson as disclosing that the controller in the digital camera displays an image immediately after the capturing of the image along with overlays that comprises information about the image.²

As explained above, one of the aspects of the invention as recited in amended claim 16 is not only “displaying” information related to an image to be displayed, but also “determining” whether the authentication data addition mode is set by the mode setting unit in response to the image capture instruction issued by the instruction unit, i.e., determining whether or not the additional information indicating that the authentication data is recorded with the image data should be displayed in response to the image capture instruction.

¹ Paragraph seven (7) of the Office Action.

² Paragraph nine (9) of the Office Action.

Ohmura discloses a digital camera capable of embedding “a watermark” on a digital image data to protect the copyright on the digital image. For example, it appears that when the digital image data is embedded with the watermark and posted on a home page of a publisher or a news paper company, the publisher or the news paper company can check whether the image data on their home page has been used without their approval. See, e.g., col. 1, lines 23-27 of Ohmura.

As Applicants understand it, however, neither Ohmura nor Anderson teaches the inventive aspects of amended claim 16 as discussed above. For example, none of the references cited by the Examiner shows or suggests that the control device “determines” whether the authentication data addition mode is set when the image capture instruction is issued. As a result, neither Ohmura nor Anderson discloses generating and displaying the authentication data along with the captured image data on a display unit when a specific mode of operation (i.e., an authentication data addition mode) is determined to be set in accordance with the user instruction to capture the image, as specifically required by amended claim 16. Applicants believe that these features of the invention are not obvious in view of the references cited by the Examiner, i.e., Applicants respectfully traverse the Examiner’s Official Notice as indicated in the Office Action.³

Accordingly, each of claim 16 as amended, and claims 17-19 in depending from amended claim 16 either directly or indirectly, is believed neither anticipated by nor rendered obvious in view of the references cited by the Examiner (i.e., Ohmura, Anderson and Official Notice), either taken alone or in combination. Reconsideration and withdrawal of the rejections of claims 16-19 under 35 U.S.C. §103(a) is respectfully requested.

³ Paragraph seven (7) of the Office Action.

Applicants have chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. However, these statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art.

Applicants believe that the application as amended is in condition for allowance and such action is respectfully requested.

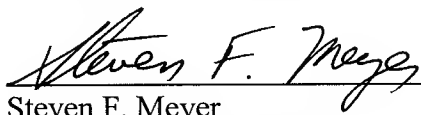
AUTHORIZATION

No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicants hereby petition the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 50-4827 (Order No. 1004288.51630). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
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